IN THE HIGH COURT OF JUDICAUTRE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 2224 OF 2005
IN
SUIT NO. 2346 OF 1984

S.M. Loyawala ... Plaintiff

Versus

The Trustees of the Port
of Bombay ... Defendants

Mr. L.V. D'Souza i/by Pandya & Poonawala for
Planitiff.

Mr. U.J. Makhija with Mr. K.J. Gandhi for Mulla &
Mulla for Defendants.

CORAM : F.I. REBELLO,J.
DATED : AUGUST 26, 2005

P.C.

. By consent motion taken up on board and heard forthwith. By the motion, defendants seeks condonation of delay in filing written statement and recalling the order of this court dated 4.8.2005. Heard the counsel for the Plaintiff. For the cause as set out in the affidavit and order to be passed, the following order :

. Order dated 4.8.2005 is recalled. Written statement of defendant taken on record subject to defendant paying to the Plaintiff cost of Rs.2,500/- within one week from today. On the cost being paid, suit allowed in terms of Prayer Clauses (a), (b) and (c). On failure to pay cost, motion stands dismissed.

. If the costs are paid, list the motion on board after eight weeks for issues.

(F.I. REBELLO,J.)